

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)
ELLSI-0002-P02-C01

In re Application of: Dario NERI et al.

Application No. 10/821,930

Filed: April 12, 2004

For: SPECIFIC BINDING MOLECULES FOR SCINTIGRAPHY, CONJUGATES CONTAINING THEM AND THERAPEUTIC
METHOD FOR TREATMENT OF ANGIOGENESIS

The owner*, Eidgenossische Technische, of 100 percent interest in the instant application by virtue of assignment recorded at Reel/Frame 010782/0839 and 010659/0205 hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 10/321,558, filed on December 18, 2002, also 100% owned by Eidgenossische Technische (Reel/Frame 010659/0205), as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney of record. Reg. No. 27,969

Anthony J. ZelanoMarch 10, 2009

Signature

Date

Anthony J. Zelano

Typed or printed name

703-243-6333

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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